

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE  
PATENTING REJECTION OVER A PRIOR PATENT**

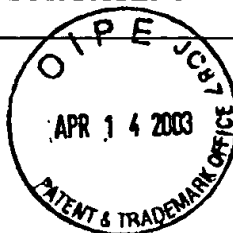
Docket Number (Optional)  
**1894-00733**

In re Application of: **Tommy F. BROOKEY**

Application No.: **09/855,935**

Filed: **05/15/2001**

For: **Aphron-Containing Well Drilling and Servicing Fluids**



**GROUP 1700**  
#19  
4/21/03  
RECEIVED

The owner, **MASI Technologies, L.L.C.** of 100 percent interest in the instant application disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of any patent that issues from Application No. **09/246,932**, entitled **Aphron-Containing Aqueous Well Drilling and Servicing Fluids**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent that issues from Application No. **09/246,932** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and § 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2. ☒ **The undersigned is an attorney of record.**

- ☒ **Terminal disclaimer fee under 37 CFR 1.20(d) included.**

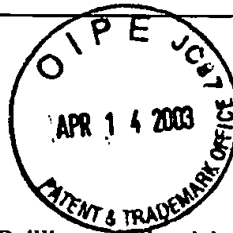
Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this certification. See MPEP ' 324.

**APRIL 7, 2003**

SIGNATURE OF ATTORNEY

Leslie V. Payne  
Reg. No. 38,267  
CONLEY ROSE, P.C.  
P.O. Box 3267  
Houston, Texas 77253-3267  
Phone: (713) 238-8000  
Fax: (713) 238-8008

04/16/2003 HVLONG1 00000047 032769 09855932  
05 FC:1014 110.00 CH

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE  
PATENTING REJECTION OVER A PRIOR PATENT**Docket Number (Optional)  
**1894-00733**In re Application of: **Tommy F. BROOKEY**Application No.: **09/855,935**Filed: **05/15/2001**For: **Aphron-Containing Well Drilling and Servicing Fluids**
**GROUP 1700**  
**APR 18 2003**  
**RECEIVED**

The owner, **MASI Technologies, L.L.C.** of 100 percent interest in the instant application disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent No. **6,148,917**, entitled **Method of Releasing Stuck Pipe or Tools and Spotting Fluids Therefor**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. **6,148,917** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and § 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2. ☒ The undersigned is an attorney of record.

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this certification. See MPEP ' 324.

APRIL 7, 2003

*Leslie V. Payne*  
SIGNATURE OF ATTORNEY

Leslie V. Payne  
Reg. No. 38,267  
CONLEY ROSE, P.C.  
P.O. Box 3267  
Houston, Texas 77253-3267  
Phone: (713) 238-8000  
Fax: (713) 238-8008

04/16/2003 HUUW61 00000047 032769 09855932

02 FC:1814 110.00 CH